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19 CSAA INTER-INSURANCE BUREAU

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA

22 ALEXANDER JACOBS, individually and
on behalf of all others similarly situated,

23 Plaintiff,

24 v.

25 CSAA INTER-INSURANCE BUREAU,

26 Defendant.

CASE NO. 07-CV-00362-MHP

~~[PROPOSED]~~ ORDER:

- 1) GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT;
- 2) APPROVING CLASS NOTICE;
AND
- 3) CONDITIONALLY CERTIFYING
SETTLEMENT CLASS

1 Plaintiff Alexander Jacobs and defendant CSAA Inter-Insurance Bureau ("CSAA"),
 2 acting through their counsel, and subject to Court approval following notice to the putative class
 3 members and a hearing, have agreed to settle this litigation, as set forth in the settlement
 4 agreement (the "AGREEMENT") submitted in support of the Joint Motion for Preliminary
 5 Approval of Class Action Settlement, Approval of Class Notice, and Conditional Certification of
 6 Settlement Class (the "MOTION"). A hearing on the Motion was held on July 21, 2008, before
 7 this Court.

8 NOW, THEREFORE, the Court, having considered the papers and the arguments of
 9 counsel, and it appearing to the Court that, following notice of the proposed settlement to the
 10 putative class members, a hearing should be held to determine finally if the settlement is fair,
 11 reasonable and adequate, the Court HEREBY ORDERS as follows:

12 1. All of the definitions contained in the AGREEMENT shall apply to this Order and
 13 are incorporated by reference as if fully set forth herein.

14 2. The MOTION is GRANTED. The AGREEMENT is preliminarily approved by
 15 the Court as fair, adequate, reasonable, and in the best interests of the putative class members.
 16 The Court hereby conditionally certifies for settlement purposes and for no other purposes, the
 17 following classes of persons:

- 18 a. The "CALIFORNIA SALES REPRESENTATIVE CLASS" includes all SALES
 19 REPRESENTATIVES who were employed by CSAA in the state of California at
 20 any time from January 18, 2003, through September 26, 2008.
- 21 b. The "NON-CALIFORNIA SALES REPRESENTATIVE CLASS" includes all
 22 SALES REPRESENTATIVES who were employed by CSAA outside the state of
 23 California at any time from January 18, 2003, through September 26, 2008.
- 24 c. The "CALIFORNIA EMPLOYEE CLASS" includes all CSAA employees
 25 employed in California at any time from January 18, 2006, through September 26,
 26 2008, but specifically excluding individuals employed by CSAA as Systems
 27 Engineers that fall within the putative class definition contained in Paragraph 14 of
 28 the Complaint in the action captioned *Stevenson Tan v. California State*

1 *Automobile Association*, United States District Court for the Central District of
2 California, Case No. SACV-07-1011 CJC.

3 3. The Court conditionally and preliminarily finds that this action satisfies the
4 requirements for class action approval under Federal Rule of Civil Procedure 23(b)(3) with
5 respect to the CALIFORNIA SALES REPRESENTATIVE CLASS and the CALIFORNIA
6 EMPLOYEE CLASS. The Court further conditionally and preliminarily finds that this action
7 satisfies the requirements for proceeding as a representative action under 29 U.S.C. § 216(b) with
8 respect to the NON-CALIFORNIA SALES REPRESENTATIVE CLASS.

9 4. The Court approves and appoints as Plaintiffs' Class Counsel the following:

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18 5. The Court approves and appoints as Class Representative Plaintiff Alexander
19 Jacobs.

20 6. The Court hereby approves the form and content of the CLASS NOTICE attached
21 to the AGREEMENT as Attachment B and the CLAIM FORMS attached to the AGREEMENT
22 as Attachment C, and hereby directs that notice be given in the form and manner proposed in the
23 AGREEMENT.

24 7. The Court finds that the best practicable notice in the United States is by notice via
25 U.S. mail to the CLASS MEMBERS at the last known address available to CSAA or the
26 SETTLEMENT ADMINISTRATOR as set forth in the AGREEMENT.

27 8. All costs in connection with the identification of the CLASS MEMBERS,
28 dissemination of the CLASS NOTICE, and administration of this settlement shall be paid from
the SETTLEMENT FUND as set forth in the AGREEMENT.

1 9. CLASS MEMBERS shall make any requests for exclusion or inclusion from the
2 SETTLEMENT by mail and in writing as provided in the CLASS NOTICE on or before on or
3 before November 7, 2008.

4 10. SETTLEMENT CLASS MEMBERS shall make any objection or opposition to the
5 settlement in writing as provided in the CLASS NOTICE on or before November 7, 2008.

6 11. SETTLEMENT CLASS MEMBERS shall make any and all claims for benefits
7 under the AGREEMENT on or before on or before November 7, 2008.

8 12. The hearing on final approval of the AGREEMENT is hereby set for December 8,
9 Papers for this motion shall be filed and served by December 1, 2008 2008

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11 Dated: July 21, 2008

12 By _____

13 Hon. Marilyn Hall Patel
14 United States District Judge
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